

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TENTH STREET BUILDING
CORPORATION,

Plaintiff

vs.

BP PRODUCTS NORTH AMERICA,
INC. f/k/a and successor to BP OIL
COMPANY f/k/a and successor to
BORON OIL COMPANY and DONALD
TRAPP,

Defendants

) Docket No. 03-359
) (Judge Maurice B. Cohill, Jr.)
)
) ELECTRONICALLY FILED PLEADING
)
) PLAINTIFF'S ANSWER TO
) COUNTERCLAIM OF DEFENDANT
) DONALD TRAPP
)
) Filed on behalf of: Plaintiff, Tenth Street
) Building Corporation
)
) Counsel of record for this party:
)
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PLAINTIFF'S ANSWER TO COUNTERCLAIM OF DEFENDANT DONALD TRAPP

Plaintiff, Tenth Street Building Corporation, through its counsel, Knox
McLaughlin Gornall & Sennett, P.C., files the following Answer to the Counterclaim of
Defendant Donald Trapp:

1. Plaintiff, Tenth Street Building Corporation, denies the allegations of
paragraphs 89 and 90 of defendant Donald Trapp's counterclaim.
2. Trapp's counterclaim fails to state a claim upon which relief can be
granted.

3. Trapp's counterclaim is nothing more than a denial that he caused the damage to the underground storage tanks at issue or the contamination on the property. Trapp's counterclaim fails to state any basis for liability on the part of plaintiff to Trapp.

WHEREFORE, plaintiff, Tenth Street Building Corporation, respectfully requests that the Court dismiss the counterclaim of defendant Donald Trapp and enter judgment in favor of plaintiff as requested in plaintiff's Complaint.

Respectfully submitted,

KNOX McLAUGHLIN GORNALL &
SENNETT, P.C.

BY: /s/ Richard A. Lanzillo, Esq.

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